

"Minor" Help in Emergencies

FACED WITH THE PROBLEM of a minor with an acute traumatic injury or other condition requiring emergency treatment, a physician is often frustrated, and valuable time may be lost in locating the parents to obtain operative consent. He finds himself torn between wishing to render the best treatment possible and the medical-legal implications of failing to obtain a proper signed consent from the parents.

Recent changes in the California law will be of assistance in some of these situations. While these legal changes do not resolve the entire problem, they will effect some reduction of its frequency.

In essence, *these changes allow a legally married minor, or a minor on active duty with the U. S. Armed Services, to furnish his own consent to operation.* This eliminates in these particular instances the need to seek parental consent. The following are the quoted sections:

Civil Code 25.6—Notwithstanding any other provision of the law, any minor who has contracted a lawful marriage may give consent to the furnishing of hospital, medical and surgical care to such minor, and such consent shall not be subject to disaffirmance because of minority. The consent of the parent, or parents, of such a person shall not be necessary in order to authorize hospital, medical and surgical care. For the purposes of this section only, subsequent judgment of annulment of such marriage or judgment of divorce, shall not deprive such person of his adult status once obtained. (Added by Stats. 1961 CH 1407 No. 1).

25.7—Notwithstanding any other provision of the law, any minor who is on active duty with any of the Armed Forces of the United States of America, may give consent to the furnishing of hospital, medical and surgical care to such minor and such consent shall not be subject to disaffirmance because of minority. The consent of the parent or parents of such person shall not be necessary in order to authorize hospital, medical and surgical care. (Added by Stats. 1961 CH 1407 No. 2).

The committee hopes that dissemination of this information will be of assistance to the members of the Association.

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*This is the sixth of a series of articles prepared by the Committee on Occupational Health.

NEXT MONTH: "RELEASE FOR WORK"